

IN RE: PETITION FOR RESIDENTIAL VARIANCE* BEFORE THE
NE/S Blenheim Road North, 1870'
NE of Dance Mill Road * ZONING COMMISSIONER
(13425 Blenheim Road North)
10th Election District * OF BALTIMORE COUNTY
6th Councilmanic District * Case No. 91-444-A
Elmer S. Cochran, et ux
Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit an existing accessory shed to remain in the front yard of proposed Lot 10 in lieu of the required rear yard in accordance with Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 22-26 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 16th day of June, 1991 that the Petition for Residential Variance to permit an existing accessory shed to remain in the front yard of proposed Lot 10 in lieu of the required rear yard, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) The relief granted herein is limited to the shed located in the front yard of the subject property adjacent to the existing barn which is to be removed in accordance with the Final Development Plan and Petitioner's Exhibit 1.
- 3) The subject barn shall be removed prior to July 1, 1992. At such time as the barn is removed, Petitioners shall contact the Zoning Enforcement Division of this office to arrange for a mutually convenient date and time for an inspection of the property to insure compliance with this Order.
- 4) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 400.1 to permit an existing accessory shed to a residence to remain in the front yard in lieu of the required rear yard location,

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason: (indicate hardship or practical difficulty)

Strict compliance with the required rear yard location creates an unreasonable hardship, is unnecessarily burdensome and would require destruction of the shed resulting in practical difficulty.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
N/A
(Type or Print Name)

Signature
Elmer S. Cochran

Address
Catherine M. Cochran

City/State/Zip Code
Phoenix, Maryland 21131

Attorney for Petitioner:
N/A
(Type or Print Name)

Signature
Catherine M. Cochran

Address
Phoenix, Maryland 21131

City/State/Zip Code
Phoenix, Maryland 21131

Name, address and phone number of legal owner, contract purchaser or representative to be contacted.
Daniel P. McGrain of Foxleigh Enterprises, Inc.

Address
10749 Falls Rd., Suite 200 Lutherville, MD 21093

City/State/Zip Code
583-1919

ORDERED by the Zoning Commissioner of Baltimore County, this 16th day of June, 1991, that the subject matter of this petition be posted on the property on or before the 16th day of June, 1991.

ZONING COMMISSIONER OF BALTIMORE COUNTY

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this 16th day of June, 1991, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 16th day of June, 1991, at 4:00 o'clock, P.M..

ORDER RECEIVED FOR FILING

Date 6/14/91

By 107

ZONING COMMISSIONER OF BALTIMORE COUNTY



VIEW OF STORAGE SHED
13425 BLENHEIM ROAD

91-444-A

444
Petitioner's
Exhibit 2

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/does presently reside at 13425 Blenheim Road North

Phoenix, Maryland 21131

(Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (indicate hardship or practical difficulty)

Strict compliance with the required rear yard location for an existing

residential accessory shed creates an unreasonable hardship, is unnecessarily

burdensome and would require destruction of the shed resulting in practical

difficulty.

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

Elmer S. Cochran
AFFIANT (Handwritten Signature)

Elmer S. Cochran

AFFIANT (Printed Name)



Catherine M. Cochran
AFFIANT (Handwritten Signature)

Catherine M. Cochran

AFFIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 9th day of May, 1991, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Elmer S. Cochran and Catherine M. Cochran

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

5/9/91

DATE

Lisa A. Gordon
NOTARY PUBLIC

My Commission Expires: 11/01/92



13425 BLENHEIM ROAD

91-444-A



VIEW OF HOUSE & STORAGE SHED

444
Petitioner's
Exhibit 2

DAFT-MCCUNE-WALKER, INC.
200 East Pennsylvania Avenue Towson, Maryland 21204 301 296 3333 FAX 301 296 4705

91-444-A

To Accompany Petition for Zoning Variance

3.91 Acre Parcel of the Elmer S. and Catherine M. Cochran Property,
Located at 13425 Blenheim Road in the
Tenth Election District, Baltimore County, Maryland

Beginning for the same at a point located at the end of a line measured along the centerline of Blenheim Road extended in a northeasterly direction for a distance of 1870 feet, more or less, from the intersection formed by the centerline of Dance Mill Road with the centerline of Blenheim Road, and referring all courses of this description to the Grid Meridian established in the Baltimore County Metropolitan District, the five following courses and distances, viz:
(1) North 30 degrees 13 minutes 38 seconds West 450.00 feet, thence (2) North 62 degrees 46 minutes 22 seconds East 210.00 feet, thence (3) North 55 degrees 40 minutes 27 seconds East 160.00 feet, thence (4) South 39 degrees 23 minutes 31 seconds East 410.00 feet, and thence (5) South 53 degrees 46 minutes 22 seconds West 437.00 feet to the point of beginning, containing 3.91 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

May 20, 1991

Job No. 89001.A



A Team of Land Planning, Environmental & Engineering Professionals Providing Complete Site Services & Development Solutions

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 10th Date of Posting: 6/14/91
Posted for: Variance
Petitioner: Elmer S. Cochran, et ux
Location of property: N.E.S. Blenheim Road, 1870' NE of Dance Mill Rd.
13425
Location of Sign: Blenheim Road, 1870' NE of Dance Mill Rd.
0.75
Remarks: See Party's Petition
Posted by: M. Haines Date of return: 4/20/91
Number of Signs: 1



Baltimore County
Zoning Commissioner
County Office Building
311 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001 6150
Number

Date

1521741 45150449 ✓
PUBLIC HEARING FEES CITY PRICE
010 - ZONING VARIANCE FEE 255.00
060 - POSTING SIGN 0400410131MCHRC \$60.00
060 - POSTING SIGN 0400410131MCHRC \$60.00
Total: \$60.00

Cashier Validation
LAST NAME OF OWNER: COCHRAN

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

June 26, 1991

Mr. & Mrs. Elmer S. Cochran
13425 Blenheim Road North
Phoenix, Maryland 21131

RE: PETITION FOR RESIDENTIAL VARIANCE
NE/S Blenheim Road North, 1870' NE of Dance Mill Road
(13425 Blenheim Road North)
10th Election District - 6th Councilmanic District
Elmer S. Cochran, et ux - Petitioners
Case No. 91-444-A

Dear Mr. & Mrs. Cochran:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Residential Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Mr. Charlotte Radcliffe at 887-3391.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: People's Counsel

File

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

June 11, 1991

Mr. & Mrs. Elmer S. Cochran
13425 Blenheim Road North
Phoenix, MD 21131

RE: Item No. 444, Case No. 91-444-A
Petitioner: Elmer S. Cochran, et ux
Petition for Residential Variance

Dear Mr. & Mrs. Cochran:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE MINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this
21st day of May, 1991.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Elmer S. Cochran, et ux

Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: June 10, 1991
Zoning Commissioner

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Michael Prince, Item No. 420
Michael J. Maccubin, Item No. 431
Jay S. Lebow, M.D., Item No. 433
Raymond A. Ricci, Item No. 434
Terry W. Deitz, Item No. 435
Kathleen B. Thompson, Item No. 436
William Buzby, Item No. 437
Thomas P. Sisk, Item No. 441
Elmer S. Cochran, Item No. 444
Richard W. Offutt, Item No. 448
Joseph C. Hillner, Item No. 449
Jan Frederick, Item No. 451
Joseph Klein, III, Item No. 452
Carl W. Miles, Item No. 457

In reference to the Petitioners' requests, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

VARIED.ZAC/ZAC1

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: June 26, 1991

TO: Mr. J. Robert Haines
Zoning Commissioner

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: June 4, 1991

Please see the C.R.G. comments for items number 432, 439 and 444.

Rahee J. Famili
Rahee J. Famili
Traffic Engineer II

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Mr. & Mrs. Elmer S. Cochran
13425 Blenheim Road North
Phoenix, Maryland 21131

RE: CASE NUMBER: 91-444-A
LOCATION: NE/S Blenheim Road, 1870' NE of c/l Dance Mill Road
13425 Blenheim Road North

Dear Petitioner(s):

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before June 5, 1991. The last date (closing date) on which a neighbor may file a formal request for hearing is June 20, 1991. Should such request be filed, you will receive notification that the matter will not be handled through the administrative process. This will mean advertising of the public hearing and reporting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice. In either case, (a) receipt of notification that you will have a public hearing or, (b) the passing of the closing date, the sign and post can then be removed from the property and returned to this office. Failure to return the sign and post will cause your order to be void and incur a \$50.00 charge. Please be advised that the order will not be available for you to pick-up the day you return the sign.

2) Assuming no neighbor has requested a public hearing, the file now enters the final review stage of the administrative process. The Zoning Commissioner must now decide whether to grant or deny the request. He also has the option to request a public hearing.

3) PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Very truly yours,

G. G. Stephens
(301) 887-3391

Baltimore County Government
Fire Department

700 East Joppa Road, Suite 901
Towson, MD 21204-5500

(301) 887-4500

MAY 31, 1991

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: ELVER S. COCHRAN

Location: #13425 BLENHEIM ROAD

Item No.: 444 Zoning Agenda: JUNE 4, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *John J. Kelly* Noted and Approved: *Robert W. Bowling*
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

BALTIMORE COUNTY, MARYLAND
INTER OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: June 3, 1991

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for June 4, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 431, 441, 442, 443, 448, 449, and 451.

For Items 432, 439 and 444, the previous County Review Group comments are still applicable.

For Items 445, 446, 450 and 453, County Review Group Meetings are required.

For Item 447, this site is subject to the previous minor subdivision comments.

Robert W. Bowling
Robert W. Bowling, P.E., Chief,
Developers Engineering Division

RWB:s

received
(6/14/91)

Baltimore County, Maryland
PEOPLE'S COUNSEL
ROOM 304, COUNTY OFFICE BUILDING
111 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
887-3362188

PHYLLIS COLE FRIEDMAN
People's Counsel

September 27, 1991

PETER MAX ZIMMERMAN
Deputy People's Counsel

Arnold Jablon, Director
Zoning Administration and
Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Mays Chapel North Neighborhood Unit Development
(PUD) - Zoning Cases Nos. 88-536-Auth-ASPHX and
91-144-SPH

Dear Mr. Jablon:

Upon review of Eugene P. Smith's letter dated September 23, 1991, it is clear that the proposal of Mays Chapel Village requires a special hearing under Paragraph 9 of the November 4, 1988 zoning order. This provision, for reasons there stated and for other reasons given at the 1988 hearing, called for another public hearing in the event of any transfer of property interest to any party. The main idea was to review in an open forum the consequences of any transfer for the integrity and successful completion of the authorization plan. The experience, resources, and reputation of a developer are relevant factors in the planned unit development process, in which conditions are established unique to the property.

The present proposal not only involves a transfer to a number of named institutions, but also indicates a potential subsequent transfer to a third party. All of this would have to be considered at a public hearing, with notice, opportunity to be heard, and full review by citizens as well as the Zoning Commissioner.

Sincerely yours,

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

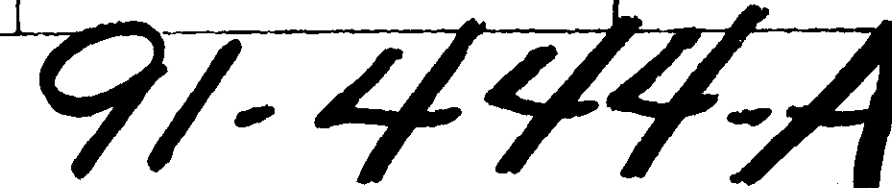
cc: Lawrence E. Schmidt
Zoning Commissioner

Eugene P. Smith, Esquire

PCF:sh

RECEIVED
SEP 30 1991
ZONING OFFICE

$20 \times 10^6 - 1.1 = 200$



NOTES:
 COUNCIL DISTRICT 6
 ELECTION DISTRICT 10
 EXISTING ZONING RC-4
 LOT SIZE: 170,465 SQ FT / 3.91 ACS ±
 FUTURE LOT 10, COCHRAN PROPERTY
 SEE C.R.G. PLAN FOR COCHRAN PROPERTY
 PLANNING NO. X-286
 PUBLIC SERVICES NO. 90467

- Well Area
- Proposed House Setting
- 200' Septic Reserve Setback
- Proposed 10,000 SF Septic Reserve Area
- Limit of Forest Buffer
- Limit of Field Located Wetlands
- 100 FT Stream Buffer
- 100 Year Floodplain Water Surface Elevation
- Stream
- Slopes 25% and Greater
- Soils
- Home Owners Association
- 100 Year Water Surface Elevation
- Building Setback
- Limit Stream Valley Park Easement Area

NOTE: DEVELOPER MAY ELECT IN THE FUTURE TO MAKE PRIVATE DRIVE A PUBLIC ROAD

AREAS WILL BE CLEARED AND KEPT FREE OF OBSTRUCTION

H.O.A. Area 3.58 ac.

- The parcels designated on this plan as H.O.A. common area with a proposed dam and septic area shall be subject to the following covenants:
 - The H.O.A. area is for the exclusive use of the residents, and guest.
 - The H.O.A. area cannot be used as a living space as defined in the B.C.Z.R.
 - Only horses and animals belonging to residents may be located on the property not to exceed with any zoning regulations.
 - The H.O.A. area may not be used as living quarters.
- A copy of the covenants including the above provision must be delivered to the zoning official recording, to be included in the permanent F.D.P. file.

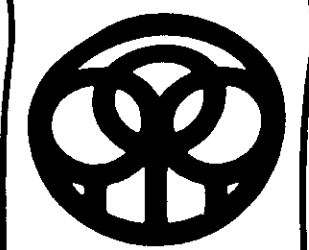
H.O.A. Area 5.76 ac.

- The parcels designated on this plan as H.O.A. common area with a proposed dam and septic area shall be subject to the following covenants:
 - The H.O.A. area is for the exclusive use of the residents, and guest.
 - The H.O.A. area cannot be used as a living space as defined in the B.C.Z.R.
 - Only horses and animals belonging to residents may be located on the property not to exceed with any zoning regulations.
 - The H.O.A. area may not be used as living quarters.
- A copy of the covenants including the above provision must be delivered to the zoning official recording, to be included in the permanent F.D.P. file.

Vicinity Map

SCALE: 1"=1000'

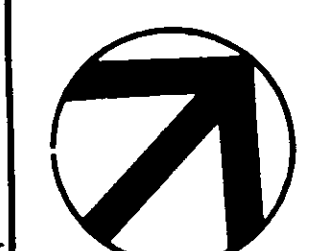
Petitioner's Exhibit 1



DAFT-MCCUNE-WALKER INC.
 LAND PLANNING CONSULTANTS
 LANDSCAPE ARCHITECTS
 ENGINEERS & SURVEYORS
 200 E. PENNSYLVANIA AVE.
 TOWSON, MD 21204
 TELEPHONE (301) 296-3333

COCHRAN PROPERTY
 13425 BLENHEIM ROAD PHOENIX, MD 21131

PLAN AND PLAT TO ACCOMPANY ZONING VARIANCE



SCALE: 1"=50'
 JOB ORDER NO. 88001A
 ISSUE DATE May 20, 1991

SHEET 1 of 1